

LAND COMMISSION (IRELAND) (MR. FOTTRELL).

RETURN to an Order of the Honourable The House of Commons,
dated 1 March 1882 ;—for,

COPIES "of all the CORRESPONDENCE between the Right Honourable the Chief Secretary to the Lord Lieutenant of Ireland and the Land Commissioners, the Law Adviser, and Mr. George D. Fottrell, Jun., late Solicitor to the Land Commissioners, in reference to the Authorship and the Publication of the Pamphlet 'How to become your own Landlord.'"

Irish Office,
29 March 1882. }

W. E. FORSTER.

— No. 1. —

The Chief Secretary for Ireland to Mr. Justice O'Hagan.

Sir,

Irish Office, 7 February 1882.

My attention has been drawn to a pamphlet entitled "How to become the Owner of your Farm," printed at the Queen's Printing Office for Her Majesty's Stationery Office.

I am informed by Mr. Godley, the Secretary to the Land Commission, that he authorised the printing of this pamphlet and the payment for its printing out of the funds at the disposal of the Commission.

He also informs me that he took this step in the belief that this pamphlet merely contained useful suggestions with regard to the working of Part V. of the Land Act, and in ignorance of there being passages in it which imply approval of the action of the Land League, and which at any rate are of a partisan character.

Mr. Godley also tells me that neither you nor your colleagues were previously informed of the purchase and publication, and that upon your attention being called to it its circulation was stopped and the copies on hand destroyed.

As, however, the Commissioners are responsible for the acts of the gentlemen they employ, I think I cannot avoid asking you officially what steps you have taken or intend to take in the matter.

I have, &c.

(signed) W. E. Forster.

Mr. Justice O'Hagan,
Irish Land Commission.

— No. 2. —

Mr. Justice O'Hagan to the Chief Secretary for Ireland.

24, Upper Merrion-street, Dublin,
8 February 1882.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 7th instant with reference to a pamphlet entitled "How to become the Owner of your Farm," printed in Dublin at the Queen's Printing Office for Her Majesty's Stationery Office.

A

We

We had before the receipt of your letter called on Mr. Fottrell, the Solicitor to the Commission, to furnish us with a statement in writing of the circumstances under which that pamphlet was printed and published.

He has furnished us with a statement, which I enclose.

None of the Commissioners was aware of the existence of the pamphlet until the evening of Friday, the 20th January. On that evening, as I was leaving Merriam-street, Mr. Fottrell mentioned to me, as he had shortly before done to Mr. Litton, that a pamphlet on the subject of the purchase by tenants of their farms had been printed at the office of the "Freeman's Journal," and that in the belief that its circulation would tend to forward the working of Part V. of the Act, he had applied to Mr. Godley for an order to the Stationery Office for the purchase of 2,000 copies. He said that the Stationery Office instead of purchasing the copies had reprinted them, and he asked me to look over the pamphlet. I took a copy with me and saw that it contained at the beginning some passages of a partisan character, rendering it very unfit to emanate from this Commission, or to be circulated by its means. Accordingly, on the next morning, immediately on going to the office, I spoke to Mr. Godley, and learned from him how the matter had taken place, so far as he was concerned. I then sent for Mr. Fottrell, and expressed to both my strong sense of the impropriety of publishing or circulating in any form a publication containing passages such as are contained in the beginning of this pamphlet, adding that I could not draw any distinction between the distribution of purchased copies and that of reprinted ones. I spoke of the necessity of consulting the Commissioners and obtaining their sanction to any act by which the Commission would be bound. I then inquired as to the number of copies already issued, and learned that they were comparatively few, and had been sent only to our Assistant Commissioners.

I immediately directed that they should be recalled, and any further issue of copies absolutely prohibited.

This was done, and I enclose a copy of the minute which was made.

It will be seen that Mr. Fottrell has placed his resignation in our hands, and we have it at present under consideration.

I have, &c.
(signed) *John O'Hagan.*

The Right Hon. W. E. Forster, M.P.
&c. &c. &c.

COPY OF MINUTE.

21 January 1882.

Ordered that the pamphlet entitled "How to become the Owner of your Farm," which has been brought under the notice of the Commissioners for the first time to-day, be withdrawn from circulation, and that any copies in the possession of officers of the Commission be destroyed.

REPORT to the IRISH LAND COMMISSIONERS from their Solicitor in reference to the Reprinting of the Pamphlet entitled "How to become the Owner of your Farm."

My Lords and Gentlemen,

In compliance with your request I beg to give you the following report of the circumstances under which the pamphlet came to be printed by the Stationery Office.

The document, which is not strictly speaking a pamphlet, but a collection of articles which appeared in the "Freeman's Journal" newspaper, was published by that journal in pamphlet form, and the proprietor sent me a few copies unofficially. I annex one of them.

A short time after I received them I gave a few copies to some gentlemen who called on me here in reference to selling their estates to their tenants, and I found that they regarded the pamphlet as useful, and asked where copies could be obtained so that they might be sent to the tenants in order that the latter might

might clearly understand the advantages of purchasing their holdings and how the purchase could be carried out.

On finding this, I suggested to your Secretary, Mr. Godley, that it might be useful to purchase some copies of the pamphlet in order that I might send them to tenants on estates about the sale of which inquiries might be made in my department, and for the distribution among landlords and tenants wherever I saw that the working of the purchase clauses might be assisted thereby.

Mr. Godley unfortunately placed too much reliance on my judgment, and without reading the document gave an order for its purchase to the Stationery Office, through which I understand all such purchases should be made.

Some weeks subsequently the Stationery Clerk of the Land Commission, in answer to inquiry whether the pamphlet had been purchased, informed me that the Stationery Office in Dublin, having forwarded to the Stationery Office, London, the order for the purchase, together with a quotation from the "Freeman's Journal" manager of the price, had received a notification from the London Stationery Office to the effect that it would be cheaper to reprint the pamphlet than purchase it at the newspaper office, and accordingly the reprint was then made, and the copies furnished to this office early in January.

Some copies were sent down by me to each Sub-Commission. On the 20th January I observed for the first time that at the end of the pamphlet so reprinted was the imprint—

"Dublin: Printed by Alex. Thom and Co., 87, 88, 89, Abbey-street. The Queen's Printing Office. For Her Majesty's Stationery Office."

and on the return of the Commissioners from Belfast that day I called the attention of Judge O'Hagan to the fact. I then learned that the Commissioners had not up to that time read the pamphlet at all, or heard of its having been ordered, and I gave a copy to Judge O'Hagan to take home with him to peruse, and on the next morning, 21st January 1882, he told me that he considered the pamphlet should be at once cancelled, and so far as was possible recalled, and therefore the following Minute was made by the Commissioners:—

"21 January 1882.

"Ordered that the pamphlet 'How to become the Owner of your Farm,' which has been brought under the notice of the Commissioners for the first time to-day, be withdrawn from circulation, and that any copies in the possession of the officers of the Commission be destroyed."

Letters were at once sent to all the Sub-Commissioners to return forthwith all copies remaining on hand, so that they might be cancelled, and since the date of the minute no copy of the pamphlet has been allowed into circulation in any way.

I desire to say that in suggesting to the Secretary the desirability of purchasing the pamphlets, I had but one object in view, namely, the bringing home to the landlords and tenants the advantages of availing themselves of the purchase clauses of the Act.

I regret extremely the annoyance which my action in the matter has brought upon you, and I beg to place in your hands my resignation of the appointment which I hold in the Irish Land Commission.

I have, &c.
(signed) Geo. Fottrell, Jun.

— No. 3. —

POSTSCRIPT to a private letter from the Chief Secretary to Judge O'Hagan, dated 7th February 1882, read by Mr. Forster in the House of Commons:—

"It is supposed by some persons that Mr. Fottrell wrote the pamphlet."

Ought you not to directly ask him whether this was the case?

— No. 4. —

Mr. Justice *O'Hagan* to the Chief Secretary for Ireland.The Irish Land Commission,
11 February 1882.

Dear Mr. Forster,
I beg to say that the Commissioners met to-day, and on full consideration resolved to accept Mr. Fottrell's resignation. This acceptance we subsequently communicated to him.

I am, &c.
(signed) *John O'Hagan*.

The Right Hon. W. E. Forster, M.P.

— No. 5. —

Mr. *G. Fottrell, Jun.*, to the Chief Secretary for Ireland.8, North Great George's-street, Dublin,
11 February 1882.

Sir,
I HAVE just read in the "*Freeman's Journal*" of to-day what purports to be a report of a statement made by you last night in the House of Commons.

It is as follows:—

"What passed between myself and Mr. Fottrell in the matter was this.
"I asked him whether he was connected with the Land League, and he
"replied he had been employed in one transaction. If I had been
"informed that was the purchase by Messrs. Parnell and Egan and the
"Member for Longford of the newspaper '*United Ireland*,' I should have
"inquired further into the matter before I consented to his appointment."

This report I find substantially agrees with those given in other newspapers.

I shall feel obliged by your informing me do you admit its accuracy, and, if so, will you be so good as to say do you adhere to the statement that you asked me the question, and that I made you the answer mentioned in the report.

If you do adhere to it, I shall feel obliged by your letting me know whether you allege that the question and answer took place in the course of an interview between us, or whether they are contained in a correspondence between you and your obedient servant,

The Right Hon. (signed) *Geo. Fottrell, Jun.*
W. E. Forster, M.P., &c. &c. &c.

— No. 6. —

Mr. *H. Jephson* to Mr. *G. Fottrell, Jun.*Irish Office, Great Queen-street, S.W.,
13 February 1882.

Sir,
I AM desired by Mr. Forster to acknowledge the receipt of your letter of the 11th instant, and to inform you, in reply, that the report to which you refer, of what he stated on Friday night in the House of Commons is substantially correct, except that he intended to say that he was not aware the business transaction alluded to was the purchase of the paper for which "*United Ireland*" was afterwards substituted.

Mr. Forster referred to a conversation between you and him before your appointment as Solicitor to the Land Commission.

I am, &c.
(signed) *Henry Jephson*.

George Fottrell, Esq., Jun.

— No. 7. —

Mr. G. Fottrell, Jun., to the Chief Secretary for Ireland.

8, North Great George-street, Dublin,

14 February 1882.

Sir,

I beg to acknowledge receipt of a letter from your Secretary, dated 13th instant, in which he informs me that you admit the substantial accuracy of the Report given in the "Freeman's Journal" of the 11th instant, of a statement which you made on the preceding night in the House of Commons in reference to me. He further informs me that the question which you stated you put to me, and my reply, took place in a conversation between us before my appointment as Solicitor to the Land Commission.

I desire to give a respectful but emphatic denial to your statement that any such conversation took place between us. I had no correspondence with you on the subject of my appointment beyond my formal letter of application, dated 11th August 1881, of which I now send you a copy.

On the day following the date of that letter I called at the Irish Office to see you, but you had gone over to the House of Commons, and I did not see you.

Up to the date of my appointment I had but two conversations with you, the first of which took place in May 1881, when I called on you at the Irish Office to obtain permission, as his friend and solicitor, to visit Mr. John Dillon, M.P., for a couple of hours each week during his confinement in Kilmalsham; and the second of which occurred on the 23rd August 1881, when at your request, conveyed through Judge O'Hagan, I waited on you in Dublin Castle, to learn that the Commissioners had appointed me their solicitor, and that you had sanctioned the appointment. Neither on that nor any other occasion, before or after my appointment, did you ask me, was I connected with the Land League, nor did I ever state to you that I "had been employed in one transaction" by that body.

If the matter rested here I should not have felt called upon to notice your statement, because its accuracy or inaccuracy would have been comparatively unimportant, but unfortunately, by the closing words of your remarks in the House of Commons, you have conveyed to the public (unintentionally it may be) an insinuation that my alleged reply was not quite candid, in fact that in replying I told you the truth, but not the whole truth; that I kept back from you the nature of the transaction in which I had been engaged, and that if I had not done so your attitude in reference to my appointment would have been different.

Permit me to say the insinuation, if such were intended, is wholly groundless. Although I had neither conversation nor correspondence with you on the subject of the business transaction in which my firm had been professionally engaged for Mr. Parnell and some of his friends, yet on applying for the solicitorship of the Land Commission, I took care to mention to Mr. Justice O'Hagan and to Mr. John Naish, the law adviser of Dublin Castle, the fact that I had been so engaged; and, moreover, the exact nature of the business in which I had acted.

I mentioned it to Mr. Justice O'Hagan, as the chief of the Commission, in whose hands the appointment was vested, and I mentioned it to Mr. Naish, as being your law adviser, and as such the person most likely to be consulted by you in reference to my professional character and position.

As the statement by which you conveyed to the public a wrong impression of my action was made in the House of Commons, I feel I am entitled to ask you, as a matter of justice, to give the same publicity to my contradiction by reading it in your place in Parliament.

I have, &c.
(signed) Geo. Fottrell, Jun.

The Right Hon. W. E. Forster, M.P.

Enclosure in No. 7.

46, Fleet-street, Dublin,
staying at 36, Bury-street, St. James',
11 August 1881.

Sir,

I HAVE the honour to inform you that I have applied to the Irish Land Commissioners to be appointed solicitor to the Commission.

Believing that the appointment is by the Bill vested in the Commissioners, I was unwilling to trespass on your time by troubling you with a communication on the subject of my candidature; but as I find, on looking to the Bill again, that the appointment is subject to the approval of the Lord Lieutenant, I trust you will pardon me for writing to ask your consideration of the testimonials, which I enclose.

In reference to these I beg to observe that I did not consider it proper, having regard to his position as a member of the Government, to ask Lord O'Hagan for any recommendation such as has been kindly given to me by the late Chancellor, Dr. Ball, but I have Lord O'Hagan's permission to refer to him for a corroboration of what is mentioned in the enclosed testimonials.

I believe that the judicial Commissioner, Mr. Serjeant O'Hagan, who has known me from childhood, will likewise confirm what has been said in my favour.

I do not know whether you would wish to see me on the subject of this letter, but in order to save your time, which I am sure is at present more than occupied, I shall call to-morrow at your office, where I can learn from one of your secretaries if you require or wish to see me.

I have, &c.

(signed) *Geo. Fottrell, Jun.*

To the Right Honourable W. E. Forster, M.P.,
Chief Secretary for Ireland.

— No. 8. —

Mr. H. Jephson to Mr. G. Fottrell, Jun.

Irish Office, Great Queen-street, S.W.
16 February 1882.

Sir,

I AM desired by Mr. Forster to acknowledge the receipt of your letter of the 14th instant, and in reply to refer you to the answer which Mr. Forster gives to Mr. Gray, M.P., in the House of Commons to-day.

If Mr. Gray had not asked, it was Mr. Forster's intention to give the House the correction contained in your letter.

I am, &c.

(signed) *Henry Jephson.*

G. Fottrell, Esq., Jun.

— No. 9. —

Mr. G. Fottrell, Jun., to the Chief Secretary for Ireland.

Sir,

46, Fleet-street, Dublin,
17 February 1882.

I ENCLOSE a copy of a letter which I have addressed to Mr. Justice O'Hagan. I send this to you through Dublin Castle, so that if you wish it, it may be wired to you to-day, and thus be in time to be included in the correspondence, if it is to be printed for Parliament.

If the correspondence is to be printed it would be only fair to Judge O'Hagan that my letter to him should be included in it.

I have, &c.

(signed) *Geo. Fottrell, Jun.*

The Right Honourable
W. E. Forster, M.P., Chief Secretary.

— No. 10. —

*Mr. G. Fottrell, Jun., to Mr. Justice O'Hagan.*46, Fleet-street, Dublin,
17 February 1882.

My dear Judge O'Hagan,

I HAVE just read the account of the proceedings last night in Parliament, and I hasten to apologise to you for having unwittingly stated I had prior to my appointment mentioned to you the fact of my having acted professionally in the matter of the purchase of the "Irishman" newspaper. My recollection was that I had done so, but if your recollection differs from mine, I unhesitatingly withdraw my statement.

You will remember what took place between the Commissioners and myself on the occasion of your accepting my resignation. Mr. Vernon made some observation in reference to the effect which the knowledge of my having acted in the matter would have had upon his action towards me; whereupon you said to me, "Oh, you told me all about it, and I thought it of no consequence."

I understood you to refer to the conversation which I had with you at your house prior to my going over to London to apply to Mr. Forster, whereas I find now that you referred to the conversation which I had with you in my office in Merrion-street, on the morning that my name appeared in the newspapers in a correspondence between Mr. Egan and Mr. Pigott.

This accounts for my belief that your recollection and mine tallied, and but for this belief I should not have made the statement contained in my letter to Mr. Forster.

As to my conversation with Mr. Naish on the same subject, I have a vivid recollection of it, and of the time when it took place, and I adhere to my statement in every particular regarding it.

I apologise for the annoyance which I must have caused you by making a statement the accuracy of which you have felt bound to call in question; and in order that this correction may be made public as quickly as possible, I send a copy of this letter to Mr. Forster.

Believe me, &c.
(signed) *Geo. Fottrell, Jun.*The Honourable Mr. Justice O'Hagan.
Land Commission Court.

— No. 11. —

*Mr. H. West to Mr. G. Fottrell, Jun.*Irish Office, Great Queen-street, S.W.
18 February 1882.

Sir,

I AM desired by Mr. Forster to acknowledge the receipt of your letter of the 17th instant, enclosing copy of a letter addressed by you to Mr. Justice O'Hagan.

G. Fottrell, Esq., Jun.

I am, &c.
(signed) *Horace West.*

LAND COMMISSION (IRELAND)
(MR. POTTSALL)

COPY of all the Communications between the
Right Honourable the Chief Secretary to the Lord
Lords of Ireland and the Land Commission,
the Law Officers, and Mr. George B. Pottsall, Esq.,
late Solicitor to the Land Commission, in relation
to the Landings and the Publication of the Plans
plus—(How to become your own Landlord)

(Mr. Pottsall)

Printed by The House of Commons, in the Strand,
3 April 1884.

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Order 1 1884.
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